

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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MOHAMED MAJED CHEHADE REFAI,)

2:08-CV-01096-PMP-PAL

Plaintiff,)

v.)

ORDER

UNITED STATES OF AMERICA,)
et al.,)

Defendants.)

Currently pending before this Court is Plaintiff's fully briefed Motion to Dismiss Claims Against Defendant Mark Paresi with Prejudice (Doc. #218).

The Court previously declined to enter a ruling on Plaintiff's Motion because the matter was pending appeal before the United States Court of Appeals for the Ninth Circuit. However, at a hearing conducted April 23, 2012 (Docs. #228/229), this Court expressed its willingness to entertain Plaintiff's motion to dismiss defendant Paresi from the action in the event the Ninth Circuit Court of Appeals saw fit to remand the matter to this Court for further proceedings.

On June 6, 2012, the United States Court of Appeals for the Ninth Circuit, through Peter L. Shaw, Appellate Commissioner, entered an Order remanding the action to this Court for the limited purpose of enabling the Court to consider Plaintiff/Appellee Refai's motion to dismiss his claim against Defendant/Appellant Paresi.

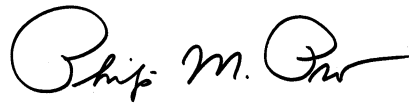
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1 Having read and considered Plaintiff Refai's fully briefed Motion to Dismiss
2 Claims Against Mark Paresi With Prejudice (Doc. #218) and for the reasons expressed at
3 the hearing conducted April 23, 2012 (Docs. #228/229),

4 **IT IS ORDERED** that Plaintiff's Motion to Dismiss Claims Against Mark Paresi
5 With Prejudice (Doc. #218) is **GRANTED**.

6 **IT IS FURTHER ORDERED** that the Clerk of Court shall forthwith enter
7 judgment in favor of Defendant Paresi and against Plaintiff Mohamed Majed Chehade
8 Refai.

9 DATED: June 20, 2012.

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13 PHILIP M. PRO
14 United States District Judge
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